

Sixty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2293**

Introduced by

Senators Oehlke, Kreun, J. Roers

Representatives Jones, Mock, Porter

1 A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new section to  
2 chapter 20.1-03 of the North Dakota Century Code, relating to the creation of the aquatic  
3 nuisance species program fund and surcharges for fishing and waterfowl licenses; to amend  
4 and reenact section 20.1-02-16.1 of the North Dakota Century Code, relating to the investment  
5 of the state game and fish fund; and to provide a continuing appropriation.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 20.1-02 of the North Dakota Century Code is created  
8 and enacted as follows:

9 **Aquatic nuisance species program fund - Continuing appropriation.**

10 There is created in the state treasury a special fund known as the aquatic nuisance species  
11 program fund. The fund consists of transfers made in accordance with sections 2 and 3 of this  
12 Act. All moneys in the fund are appropriated to the game and fish department for use in aquatic  
13 nuisance species education, inspection, and monitoring programs under chapter 20.1-17.

14 **SECTION 2. AMENDMENT.** Section 20.1-02-16.1 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **20.1-02-16.1. Game and fish fund - Use - Required balance - Budget section approval.**

17 1. All income of the state game and fish department deposited by the director with the  
18 state treasurer must be credited to the state game and fish fund and the fund may be  
19 used only by the department. All money derived from the investment of the fund,  
20 special accounts, or portions of the fund ~~must~~may be credited to the game and fish  
21 department private land habitat and access improvement fund. The department shall  
22 spend moneys in the game and fish fund within the limits of legislative appropriations,  
23 only to the extent the balance of the fund is not reduced below fifteen million dollars,  
24 unless otherwise authorized by the budget section.

1       2. Investment of the fifteen million dollar balance in this section may be made under the  
2       supervision of the state investment board. The moneys must be invested by the  
3       investing authority according to the laws relating to state investments. The department  
4       shall notify the state investment board of the amount available for investment. The  
5       investment is exempt from section 6-09-07. The investment income may be deposited  
6       into the aquatic nuisance species program fund for use in aquatic nuisance species  
7       education, inspection, and monitoring programs.

8       **SECTION 3.** A new section to chapter 20.1-03 of the North Dakota Century Code is created  
9 and enacted as follows:

10       **Fishing and waterfowl license surcharge.**

11       The director shall establish a surcharge of three dollars on each resident fishing license  
12       except for a resident who is sixty-five years of age or older, permanently or totally disabled, or a  
13       disabled veteran as defined in subsection 6 of section 20.1-03-12. The director also shall  
14       establish a surcharge of six dollars on each nonresident fishing license and each nonresident  
15       waterfowl hunting license issued under section 20.1-03-12. The collected surcharge fees must  
16       be deposited with the state treasurer and credited to the aquatic nuisance species program  
17       fund.